



PATENT  
2543-1-031

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT(S): Herath Mudiyanselage Athula Chandrasiri Herath et al.

SERIAL NO.: 10/700,330

EXAMINER: Unassigned

DATE FILED: November 3, 2003

ART UNIT: Unassigned

FOR: PROTEINS AND GENES FOR DIAGNOSIS AND TREATMENT OF  
ErbB2-RELATED CANCER

**CERTIFICATE OF MAILING UNDER 37 CFR §1.8**

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the Commissioner For Patents, P.O. Box 1450, Alexandria, VA on November 24, 2003.

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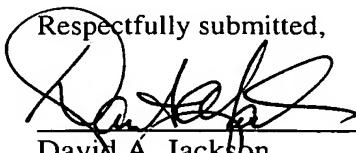
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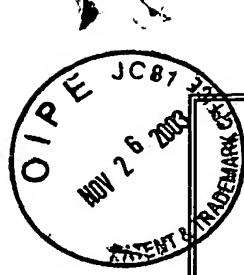
**INFORMATION DISCLOSURE STATEMENT**

In accordance with Applicant's and Applicant's representatives' Duty of Disclosure under 37 CFR § 1.56, and pursuant to 37 CFR § 1.97 and MPEP 717.05(b), Applicant(s) submit herewith documentary information for consideration by the Examiner. Information herein cited is only set forth in fulfillment of Applicant's duty of candor in disclosing all information brought to his attention, and is not an admission that it can be used adversely. The publications forwarded herewith are listed on the enclosed Form PTO-1449. Applicant(s) request that the Examiner, upon reviewing the enclosed materials, initial the enclosed form and return a copy thereof in accordance with the instructions on the form.

Enclosed please find copies of References **AA** through **CI** listed on the attached Form PTO-1449. No fee is believed due for the filing of this statement inasmuch as it is being filed before the mailing of the first official action on the merits. However, should the Patent and Trademark Office determine otherwise, authorization is hereby given to charge Deposit Account No. 11-1153 for this filing.

Respectfully submitted,  
  
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Form PTO-1449 IRSY. 7.801 U.S. Department of Commerce Patent and Trademark Office		ATTORNEY DOCKET NO.	2543-1-031
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LIST OF DOCUMENTARY INFORMATION CITED BY APPLICANT (Use several sheets if necessary)		APPLICANT	HERATH et al
		FILING DATE	November 3, 2003
		GROUP	Unassigned

## U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLAS S	SUB-CLASS	FILING DATE IF APPROPRIATE
	AA	5,914,238	6/22/99	Keesee et al			
	AB	6,064,754	5/16/00	Parekh et al			

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLAS S	SUB-CLASS	TRANSLATION YES NO
	BA	WO 01/13117 A2	2/22/01	PCT			

## OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

CA	Harris, R.A.,et.al.,New Model of ErbB-2 Over-Expression in Human Mammary Luminal Epithelial Cells, Int. J. Cancer; 80, (1999), Pgs. 477-484
CB	Lumachi,F.,et.al,Long-Term Follow-up Study in Breast Cancer Patients Using Serum Tumor Markers CEA and CA 15-3, Anticancer Research 19; (1999), Pgs. 4485-4490
CC	Ross,J.,et.al,The HER-2/neu Oncogene in Breast Cancer:Prognostic Factor, Predictive Factor, and Target for Therapy; The Oncologist, (1998), Pgs. 237-252
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CE	Page,M.J.,et.al,Proteomics: a major new technology for the drug discovery process, DDT Vol 4, No. 2, (1999), Pgs. 55-62
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CG	Lessor,TJ,et.al,Ectopic Expression of the ErbB-3 Binding Protein Ebp1 Inhibits Growth and Induces Differentiation of Human Breast Cancer Cell Lines,Jour of Cell Phys,(2000) 321-29
CH	Bruening,W.,et.al,Synucleins Are Expressed in the Majority of Breast Cancer and Ovarian Carcinomas and in Preneoplastic Lesions of the Ovary,Amer.Cancer Soc.(2000) 2154-2163
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EXAMINER:

DATE CONSIDERED:

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609;  
 Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.